

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION)	
)	MDL NO. 1456
)	Civil Action No. 01-12257-PBS
)	Subcategory No. 03-10643-PBS
)	
THIS DOCUMENT RELATES TO:)	
<i>The City of New York, et al.</i> v. <i>Abbott Laboratories,</i> <i>Inc., et al.</i>)	
)	Judge Patti B. Saris
)	

JOINT MOTION TO DISMISS WITH PREJUDICE

TO THE HONORABLE JUDGE:

The Consolidated New York Counties (“Plaintiffs”) and defendants Watson Pharmaceuticals, Inc. and Watson Pharma, Inc. f/k/a Schein Pharmaceuticals, Inc. (collectively “Watson Parties”), having settled all matters in dispute between them in this cause, jointly move this Court to dismiss with prejudice all of the Plaintiffs’ claims asserted herein against the Watson Parties, provided that the dismissal shall not affect the rights and duties of such parties as expressed in their Settlement Agreement.

Dated: September 14, 2011

Respectfully submitted,

By: /s/ Joanne M. Cicala
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*On Behalf of Plaintiffs the Consolidated
New York Counties*

By: /s/ James W. Matthews

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*On Behalf of Watson Pharmaceuticals, Inc. and
Watson Pharma, Inc., f/k/a Schein
Pharmaceuticals, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on September 14, 2011, I caused a true and correct copy of the foregoing, JOINT MOTION TO DISMISS WITH PREJUDICE, to be served on counsel of record for each party through the Court's Electronic Case Filing System and via LexisNexis File & Serve.

/s/ James Carroll
KIRBY McINERNEY LLP